

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:08-CR-0294
	:	
v.	:	(Judge Conner)
	:	
KENNETH POWELL	:	
	:	
Defendant	:	

ORDER

AND NOW, this 3rd day of November, 2008, upon consideration of defendant's motion to suppress (Doc. 18) statements that he allegedly made to agents of the Bureau of Alcohol, Tobacco, and Firearms pursuant to Miranda v. Arizona, 384 U.S. 436 (1966), and of the response of the government, stipulating that the government will not offer the statements subject to the motion in its case in chief, (see Doc. 22 at 1), it is hereby ORDERED that the motion to suppress (Doc. 18) is DENIED as moot without prejudice to defendant's right to renew the motion in the event that the government attempts to introduce the statements at trial.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge